



CITY OF MORGAN HILL

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PLANNING COMMISSION

TUESDAY, MAY 9, 2000

CITY COUNCIL CHAMBERS
CIVIC CENTER
17555 PEAK AVENUE
MORGAN HILL, CA

COMMISSIONERS

CHAIRMAN DENNIS PINION
VICE-CHAIR YARMILA KENNETT
COMMISSIONER RALPH LYLE
COMMISSIONER PATRICIA MCMAHON
COMMISSIONER JOSEPH MUELLER
COMMISSIONER TIMOTHY RIDNER
COMMISSIONER BARBARA SULLIVAN

REGULAR MEETING - 7:00 p.m.

*** A G E N D A ***

NOTICE TO THE PUBLIC

The following policies shall govern the conduct of the Planning Commission meetings:

- *All Planning Commission proceedings are tape-recorded.*
- *Individuals wishing to address the Planning Commission on a particular item should fill out a speaker card and present it to the Secretary. This will assist the Chairperson in hearing your comments at the appropriate time.*
- *When the Chairperson invites you to address the Commission, please state your name and address at the beginning of your remarks.*
- *Speakers will be recognized to offer presentations in the following order:*
 - *Those supporting the application*
 - *Those opposing the application*
 - *Those with general concerns or comments*
 - *Presentations are limited to 5 minutes.*

**DECLARATION OF POSTING OF AGENDA IN ACCORDANCE WITH GOVERNMENT
CODE SECTION 54954.2 - SECRETARY REPORT**

OPEN PUBLIC COMMENT PERIOD (5 MINUTES)

Now is the time for presentation from the public on items **NOT** appearing on the agenda that are within the Planning Commission's jurisdiction. Should your comments require Commission action, your request will be placed on the next appropriate agenda. No Commission discussion or action may be taken until your item appears on a future agenda. You may contact the Planning Division for specific time and dates. This procedure is in compliance with the California Public Meeting Law (Brown Act) G.C. 54950.5. Please limit your comments to five (5) minutes.

MINUTES: April 25, 2000 and May 1, 2000

OLD BUSINESS:

- 1) **ZONING AMENDMENT, ZAA-98-01: E. DUNNE-MORGAN HILL DAY CARE CENTER:** A request to amend the Planned Unit Development for a mini-storage and daycare facility located on the south east corner of the intersection on San Benencio Way and E. Dunne Ave. The proposed amendment is a request to located a shared monument sign for both uses on E. Dunne Ave. (APN 817-11-013)

Recommendation: Adopt Resolution No. 00-18, recommending City Council denial of the requested amendment.

NEW BUSINESS:

- 2) **SUBDIVISION, SD-00-09/DEVELOPMENT AGREEMENT, DA-00-03: HALE-GLENROCK/SHEA HOMES:** A request for approval of a tentative map for an additional 22 lots to be included within a 66 acre project located on the south side of Tilton Ave., east of Hale Ave, and west of Monterey Rd. in the R-1 12,000 Residential Planned Development zoning district. Also requested is an amendment to the existing development agreement to incorporate the development commitments for the 22 lots being requested at this time. (APN 764-09-005, 007-010, 014)

Recommendation: Open public hearing and continue to the June 13 agenda.

- 3) **ZONING AMENDMENT, ZA-99-19/ANNEXATION, ANX-99-02: MURPHY-MARQUEZ:** A request to annex an approximate 2.35-acre site into the City of Morgan Hill, and prezone the property from County A1-25 to City R1-7,000 (single-family medium density). The subject property is located on the east side of Murphy Ave., approximately 564 ft. south of E. Dunne Ave., at 16850 Murphy Ave. (APN 817-19-001)

Recommendation: Approval of Mitigated Negative Declaration, and adopt Resolution Nos. 00-23 (zoning amendment) and 00-25 (annexation).

- 4) **ZONING AMENDMENT, ZA-00-01/ANNEXATION, ANX-00-01: E. DUNNE-WONG:**

A request to annex an approximate 4.83-acre site into the City of Morgan Hill, and prezone the property from County A1-2.5AC to City R1-7,000 (single-family medium density). The subject property is located on the south side of E. Dunne Ave., at 1630 E. Dunne Ave. (APN 817-19-043)

Recommendation: Approval of Mitigated Negative Declaration, and adopt Resolution Nos. 00-26 (zoning amendment) and 00-27 (annexation).

- 5) **EXCEPTION TO LOSS OF BUILDING ALLOTMENT AWARDED TO APPLICATION MMP-00-01: BERKSHIRE-SINGH:** A request for a 90-day extension of time on a building allotment awarded under the Micro Measure P Competition for fiscal year 1999-2000.

Recommendation: Adopt Resolution No. 00-20, recommending City Council approval of a 90-day extension of time.

- 6) **EXCEPTION TO LOSS OF BUILDING ALLOCATIONS, ELBA-00-03: SPRING-WELLINGTON/SPRING MANOR:** A request for an Exception to the Loss of Building Allocation for 6 building allotments awarded for fiscal year 1999-2000. The six units are part of a larger 21 unit development proposed on a 18 acre parcel located on the south side of Spring Ave., adjacent to the west side of the cemetery in the R-1 12,000 residential planned development zoning district. (APN 767-15-016)

Recommendation: Approval of Resolution No. 00-21, recommending City Council approval of an amended Development Agreement Schedule subject to findings outlined in the resolution.

- 7) **EXCEPTION TO LOSS OF BUILDING ALLOCATIONS, ELBA-00-04: DEL MONTE-DEL MONTE ESTATES:** A request for approval of an extension of time to avoid the loss of seven building allocations awarded through the Residential Development Control System (Measure P) for Fiscal Year 1999-2000. The seven building allocations represent Phase I of a 17-unit residential development (13 Measure P units, plus four replacement units) located at Christine Lynn Drive between Del Monte and Hale Avenues. (APN 764-20-072)

Recommendation: Approval of Resolution No. 00-22, recommending City Council approval of an amended Development Agreement Schedule subject to findings outlined in the resolution.

- 8) **ZONING AMENDMENT, ZA-00-02: CITY OF MORGAN HILL-VESTING TENTATIVE MAPS/CHAPTER 17.50 UPDATE:** Amendment to Chapter 17.50 of the Morgan Hill Municipal Code, the Subdivision Ordinance, to establish submittal requirements and conferring vested right provisions on non-residential tentative map approvals.

Recommendation: Adopt Resolution No. 00-28, recommending City Council approval

of the Subdivision Ordinance Amendment.

OTHER BUSINESS:

- 9) **RESIDENTIAL DEVELOPMENT CONTROL SYSTEM (RDSCS) QUARTERLY REPORT:** Progress review of residential projects approved under the City's Residential Development Control System.

Recommendation: Approval of the RDSCS Quarterly Report

- 10) **REVIEW DRAFT FISCAL YEAR 2000-2001 THROUGH 2004-2005 CAPITAL IMPROVEMENTS PROGRAM (CIP)**

Recommendation: Adoption of Resolution No. 00-24, recommending City Council approval of the CIP for FY 2000-01 - 2004-05 and finding of consistency with the General Plan.

TENTATIVE UPCOMING AGENDA ITEMS FOR THE MAY 23, 2000 MEETING:

- S **DA-99-06: Monterey-TBI/Gomes**
- S **DA-99-08: Cochrane-Tharaldson Development Co.**
- S **ELBA (SD-98-18/SR-99-21): Nina Lane-Doan**
- S **ELBA (MP-99-04): Christeph-Kosich**
- S **USA-00-02: Sunnyside-Stoddard**
- S **ZA-00-07: City of M.H.-Subcommittee Recommendations for changes to RDSCS Standards and Criteria**

ANNOUNCEMENTS

CITY COUNCIL REPORTS

ADJOURNMENT

SPEAKER CARD

IN ACCORDANCE WITH GOVERNMENT CODE 54953.3, IT IS NOT A REQUIREMENT TO FILL OUT A SPEAKER CARD IN ORDER TO SPEAK TO THE PLANNING COMMISSION. HOWEVER, it is very helpful to the Commission if you would fill out the Speaker Card that is available on the counter in the Council Chambers. Please fill out the card and return it to the

Deputy City Clerk. As your name is called by the Chairperson, please walk to the podium and speak directly into the microphone. Clearly state your name and address and proceed to comment upon the agenda item. Please limit your remarks to three (3) minutes.

NOTICE
AMERICANS WITH DISABILITY ACT (ADA)

The City of Morgan Hill complies with the Americans with Disability Act (ADA) and will provide reasonable accommodation to individuals with disabilities to ensure equal access to all facilities, programs and services offered by the City.

If assistance is needed regarding any item appearing on the Planning Commission agenda, please contact the Office of the City Clerk at City Hall, 17555 Peak Avenue or call 779-7259 or Hearing Impaired only - TDD 776-7381 to request accommodation..

NOTICE

***NOTICE IS GIVEN** pursuant to Government Code Section 65009, that any challenge of any of the above agenda items in court, may be limited to raising only those issues raised by you or on your behalf at the Public Hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to the Public Hearing on these matters.*

NOTICE

The time within which judicial review must be sought of the action taken by the Planning Commission which acted upon any matter appearing on this agenda is governed by the provisions of Section 1094.6 of the California Code of Civil Procedure.

PLANNING COMMISSION AGENDA

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